

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2300

Introduced by Assembly Member Ridley-Thomas

February 21, 2014

An act to amend ~~Section 30000~~ *Sections 30000 and 30005* of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 2300, as amended, Ridley-Thomas. Firearms: Prohibited Armed Persons File.

Existing law requires the Attorney General to establish and maintain an online database, the Prohibited Armed Persons File, to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1991, and who, subsequent to the date of that ownership or possession, fall within a class of persons who are prohibited from owning or possessing a firearm.

This bill would instead require that the Prohibited Armed Persons File include persons who have ownership or possession of a firearm on or after January 1, 1996. *The bill would also make conforming changes.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 30000 of the Penal Code is amended to
- 2 read:
- 3 30000. (a) The Attorney General shall establish and maintain
- 4 an online database to be known as the Prohibited Armed Persons

1 File. The purpose of the file is to cross-reference persons who have
2 ownership or possession of a firearm on or after January 1, 1996,
3 as indicated by a record in the Consolidated Firearms Information
4 System, and who, subsequent to the date of that ownership or
5 possession of a firearm, fall within a class of persons who are
6 prohibited from owning or possessing a firearm.

7 (b) The information contained in the Prohibited Armed Persons
8 File shall only be available to those entities specified in, and
9 pursuant to, subdivision (b) or (c) of Section 11105, through the
10 California Law Enforcement Telecommunications System, for the
11 purpose of determining if persons are armed and prohibited from
12 possessing firearms.

13 *SEC. 2. Section 30005 of the Penal Code is amended to read:*
14 30005. The Prohibited Armed Persons File database shall
15 function as follows:

16 (a) Upon entry into the Automated Criminal History System of
17 a disposition for a conviction of any felony, a conviction for any
18 firearms-prohibiting charge specified in Chapter 2 (commencing
19 with Section 29800), a conviction for an offense described in
20 Chapter 3 (commencing with Section 29900), a firearms prohibition
21 pursuant to Section 8100 or 8103 of the Welfare and Institutions
22 Code, or any firearms possession prohibition identified by the
23 federal National Instant Criminal Background Check System, the
24 Department of Justice shall determine if the subject has an entry
25 in the Consolidated Firearms Information System indicating
26 possession or ownership of a firearm on or after January 1, ~~1991~~,
27 1996, or an assault weapon registration, or a .50 BMG rifle
28 registration.

29 (b) Upon an entry into any department automated information
30 system that is used for the identification of persons who are
31 prohibited by state or federal law from acquiring, owning, or
32 possessing firearms, the department shall determine if the subject
33 has an entry in the Consolidated Firearms Information System
34 indicating ownership or possession of a firearm on or after January
35 1, ~~1991~~, 1996, or an assault weapon registration, or a .50 BMG
36 rifle registration.

37 (c) If the department determines that, pursuant to subdivision
38 (a) or (b), the subject has an entry in the Consolidated Firearms
39 Information System indicating possession or ownership of a firearm
40 on or after January 1, ~~1991~~, 1996, or an assault weapon registration,

1 or a .50 BMG rifle registration, the following information shall be
2 entered into the Prohibited Armed Persons File:
3 (1) The subject's name.
4 (2) The subject's date of birth.
5 (3) The subject's physical description.
6 (4) Any other identifying information regarding the subject that
7 is deemed necessary by the Attorney General.
8 (5) The basis of the firearms possession prohibition.
9 (6) A description of all firearms owned or possessed by the
10 subject, as reflected by the Consolidated Firearms Information
11 System.

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